

BILL NO. 2007-73

ORDINANCE NO. 5957

AN ORDINANCE TO CLARIFY THE ZONING TREATMENT OF MANUFACTURED HOMES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Steven D. Ross

Summary: Clarifies the zoning treatment of manufactured homes.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
AS FOLLOWS:

SECTION 1: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to revise the name and description of the use "Manufactured Home (Qualifying for Treatment as Single Family Detached Dwelling)" so as to clarify its intent; to indicate that the use is allowed as a conditional use in the R-MH Zoning District; and to conform the conditional use regulations to State law. In order to reflect the amendment, the "Residential and Lodging" element of the Land Use Tables is amended by amending the entry for the use to read as follows:

USE	RESIDENTIAL												COMMERCIAL					INDUSTRIAL			
Manufactured Home (Qualifying for Zoning Treatment as Single Family Detached Dwelling)	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
	C	C	C	C	C	C	C	C	C	C	C										
	<p>Description:</p> <p>A structure (as defined in NRS 489.113) that meets the Conditional Use Regulations listed below[.] <u>in order to qualify for State-law zoning treatment as a Single Family Detached Dwelling.</u></p> <p>Conditional Use Regulations:</p> <p>1. In order to qualify for <u>State-law zoning treatment</u> as a Single Family Detached Dwelling, a manufactured home must:</p> <ul style="list-style-type: none">a. Have been constructed or manufactured within the [5] <u>6</u> years immediately preceding the date on which it is affixed to the residential lot;b. Consist of at least 1200 square feet of living area, unless the Director approves a reduction in size;c. Be permanently affixed to the residential lot;d. Have its foundation masked architecturally or by landscaping, berming or planters; ande. Be demonstrated to be compatible with homes in the immediate vicinity, in terms of siding material, roofing, color, building configuration, design features, etc. <p>On-site Parking Requirement: Two spaces per site.</p>																				

SECTION 2: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to revise the name and description of the use "Manufactured Home (Not Qualifying for Treatment as Single Family

Detached Dwelling)” so as to clarify its intent. In order to reflect the amendment, the “Residential and Lodging” element of the Land Use Tables is amended by amending the entry for the use to read as follows:

USE	RESIDENTIAL												COMMERCIAL					INDUSTRIAL			
Manufactured Home (Not Qualifying for Zoning Treatment as Single Family Detached Dwelling)	U	R-A	R-E	R-D	R-I	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
											P	C									
	<p>Description:</p> <p>A structure (as defined in NRS 489.113) that does not qualify for <u>State-law zoning</u> treatment as a Single Family Detached Dwelling. <u>The fact that a structure does not qualify for State-law zoning treatment as a Single Family Detached Dwelling does not preclude it from being so treated for other purposes, or from being permanently affixed to a residential lot.</u></p> <p>Conditional Use Regulations:</p> <p>1. No sales or display of manufactured homes is permitted, except for:</p> <ul style="list-style-type: none">a. The sale in-place, by the owner or his agent, of a manufactured home that has previously been located and continuously occupied in that mobile home park by the owner.b. The sale in-place, by a manufactured home dealer, of a manufactured home that has previously been located and continuously occupied in that mobile home park by the owner of the home and that has been taken as a trade-in or purchased from the owner.c. The placement of a manufactured home within a mobile home park for the purpose of sale or display, or both, as a sales model only. <p>For purposes of this Conditional Use Regulation 1, a financial institution that has succeeded to the interest in a manufactured home of its owner, through foreclosure, shall be deemed to be the agent of the owner.</p> <p>On-site Parking Requirement: Two spaces per site.</p>																				

SECTION 3: Title 19, Chapter 8, Section 40, Subsection (C), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by amending Table 1 included therein, with no amendment to the Table’s accompanying notes, to read as follows:

Table 1. Single-Family Residential District Development Standards

STANDARD	U	R-A	R-E	R-D	R-I	R-CL	R-MH	R-MHP
Min. Lot Size (s.f.)	20,000	40,000	20,000	11,000	6,500	3,500 ²	6,500	4,000
Dwelling Units per Lot	1	1	1	1	1	1	1	1
Min. Lot Width (ft.)	100 ⁶	100 ⁶	100 ⁶	90 ⁶	65 ⁶	35 ^{3,6}	65 ⁶	45 ⁶
Min. Front Yard Setback (ft.)	50 ¹	50 ¹	50 ¹	25	20	14 ⁴	[20] 15	5
Min. Side Yard Setback (ft.)	10 ⁷	10 ⁷	10 ⁷	10 ⁷	5 ⁷	10 ^{5,7}	5 ⁷	5 ⁷
Min. Corner Side Yard Setback (ft.)	15 ⁷	15 ⁷	15 ⁷	15 ⁷	15 ⁷	10 ⁷	10 ⁷	5 ⁷
Min. Rear Yard Setback (ft.)	35 ⁷	35 ⁷	35 ⁷	30 ⁷	15 ⁷	10 ⁷	[15] 10 ⁷	5 ⁷
Max. Lot Coverage	NA	NA	NA	NA	50%	50%	50%	NA
Max. Building Height (ft.)	2 stories or 35 feet, whichever is less							

1 SECTION 4: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of Las
2 Vegas, Nevada, 1983 Edition, is hereby amended by amending the following term and its
3 corresponding definition:

4 "Manufactured Home" means a structure as defined in NRS 489.113. A manufactured home may or
5 may not qualify for State-law zoning treatment as a single-family detached dwelling pursuant to Table
6 2, as adopted in Section 19.04.010.

7 SECTION 5: For purposes of Section 2.100(3) of the City Charter, LVMC 19.04.010,
8 19.08.040 and 19.20.020 are deemed to be subchapters rather than sections.

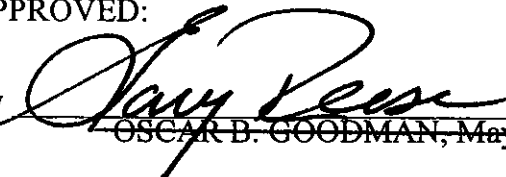
9 SECTION 6: If any section, subsection, subdivision, paragraph, sentence, clause or phrase
10 in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
11 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
12 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
13 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
14 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
15 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
16 invalid or ineffective.

17 SECTION 7: All ordinances or parts of ordinances or sections, subsections, phrases,
18 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
19 1983 Edition, in conflict herewith are hereby repealed.

20 PASSED, ADOPTED and APPROVED this 19TH day of December, 2007.

21 APPROVED:

22 By


23 ~~OSCAR B. GOODMAN, Mayor~~

Gary Reese, Mayor Pro-Tem

24 ATTEST:

25 
26 BEVERLY K. BRIDGES, CMC
City Clerk

27 APPROVED AS TO FORM:

28 Val Steed 11-6-07
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council
2 on the 21st day of November, 2007, and referred to a committee for recommendation;
3 thereafter the committee reported favorably on said ordinance on the 19th day of
4 December, 2007, which as a regular meeting of said Council; that at said regular meeting,
5 the proposed ordinance was read by title to the City Council as first introduced and
6 adopted by the following vote:

7 VOTING "AYE": Mayor Goodman
8 Councilmembers: Reese, Brown, Weekly, Wolfson, Tarkanian and
9 Ross

10 VOTING "NAY": None

11 EXCUSED: None

12 ABSTAINED: None

13 APPROVED:

14 
15 ~~OSCAR B. GOODMAN, Mayor~~
16 **Gary Reese, Mayor Pro-Tem**

17 ATTEST:

18 
19 **BEVERLY K. BRIDGES, CMC City Clerk**

AFFP DISTRICT COURT
Clark County, Nevada

RECEIVED
CITY CLERK

AFFIDAVIT OF PUBLICATION

2007 DEC 11 A 10:54

STATE OF NEVADA)
COUNTY OF CLARK) SS:

Stacey M. Lewis, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

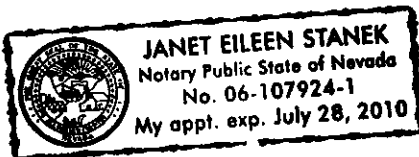
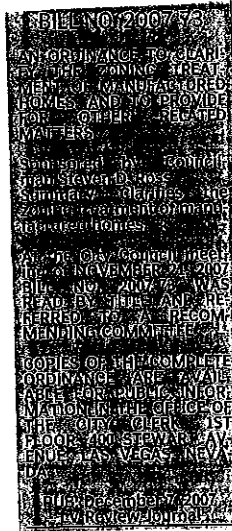
LV CITY CLERK

2296311LV

3292267

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 12/07/2007 to 12/07/2007, on the following days:

12/07/2007



Signed:

Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE

74 day of December, 2007.

Janet Eileen Stanek

Notary Public

AFFP DISTRICT COURT
Clark County, Nevada

RECEIVED
CITY CLERK

AFFIDAVIT OF PUBLICATION

2007 DEC 28 A 10: 44

STATE OF NEVADA)
COUNTY OF CLARK) SS:

STACEY M. LEWIS, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK

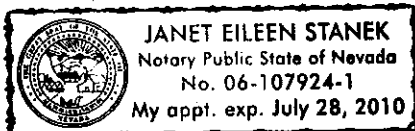
2296311LV

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was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 12/22/2007 to 12/22/2007, on the following days:

12/22/2007

MY 9 BILL NO. 2007-737
ORDINANCE NO. 5957
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OF MANUFACTURED
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Sponsored by Council
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The above and foregoing
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the City Council on the
21st day of November 2007,
and referred to a commit-
tee for recommendation.
Thereafter the committee
reported favorably on said
ordinance on the 21st day
of December 2007, which
was a regular meeting of
said City Council and that
at said regular meeting
the proposed ordinance
was read by title to the
City Council as introduced
and was adopted by the
following vote:
YEAS: 4
NAYS: 0
ABSENT: 0
EXCUSED: 0
COPIES OF THE COMPLETE
ORDINANCE ARE AVAIL-
ABLE FOR PUBLIC INFOR-
MATION IN THE OFFICE OF
THE CITY CLERK, 150
SUNBELT BOULEVARD, SUITE
100, LAS VEGAS, NEV-
ADA 89101.
Dated December 28, 2007.
By: [Signature]



Signed:

Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE

24th day of December, 2007.

Janet Eileen Stanek

Notary Public